

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-5400**

December 22, 2017

Chairman Ajit Pai  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

**Re: Request for Early Puerto Rico and USVI Post-Auction Transition, GN Docket No. 12-268; MB Docket No. 16-306**

Dear Chairman Pai:

Hurricane Maria wreaked havoc on Puerto Rico in September 2017 and the island remains devastated. The storm disabled power to 3.4 million Americans that live on the island,<sup>1</sup> destroyed 91% of cellphone coverage,<sup>2</sup> and devastated the water supply.<sup>3</sup> Beyond these most basic needs, many households and businesses also now lack broadcast television services.

You committed to “get creative” to advance the nationwide effort to assist the recovery efforts in Puerto Rico.<sup>4</sup> I welcome your enthusiasm to help our restoration efforts and urge you to permit broadcast television stations to relocate their operations below Channel 37 as quickly as possible. I recently met with different local telecommunications industry executives and they explained to me that accelerating the post-auction relocation of broadcast television licensees in Puerto Rico will also allow

<sup>1</sup> See, e.g., Patricia Mazzei, *Puerto Rico Orders Review and Recount of Hurricane Deaths*, The New York Times (Dec. 18, 2017), <https://www.nytimes.com/2017/12/18/us/puerto-rico-hurricane-maria-death-toll-review.html>; Arelis R. Hernandez et al., *Sin Luz: Life Without Power*, The Washington Post (Dec. 14, 2017) (“*Sin Luz*”), [https://www.washingtonpost.com/graphics/2017/national/puerto-rico-life-without-power/?utm\\_term=.1edca00f76e5](https://www.washingtonpost.com/graphics/2017/national/puerto-rico-life-without-power/?utm_term=.1edca00f76e5).

<sup>2</sup> See Elizabeth Weise, *Puerto Rico is Nearly Entirely Cut Off from Cellphone Service, Leading to Low Tech Solutions*, USA Today (Sept. 28, 2017), <https://www.usatoday.com/story/tech/2017/09/28/puerto-rico-cell-phone-service-tmobile-att-hurricane/710775001/>.

<sup>3</sup> See, e.g., Karl Vick, *A Land They No Longer Recognize: Desperation and Resilience in Hurricane-Battered Puerto Rico*, TIME, <http://time.com/a-land-they-no-longer-recognize/> (last visited Dec. 19, 2017).

<sup>4</sup> John Eggerton, *Pai: More USF Money Needed to Help Puerto Rican Communications*, Broadcasting and Cable, Nov. 7, 2017, <http://www.broadcastingcable.com/news/washington/pai-more-usf-money-needed-help-puertorican-communications/169928>.

them to expedite the deployment of 600 MHz spectrum, which will greatly enhance wireless coverage and availability on the island.

Earlier this year, the FCC auctioned broadcast television spectrum above Channel 37. After the auction ended, the FCC commenced a ten-phase, 39-month relocation plan to clear the newly auctioned spectrum by relocating numerous broadcast television stations to different channels. Most Puerto Rican broadcast television stations are not scheduled to relocate until 2019 or later. At this point, however, Puerto Rico has little functioning broadcast television infrastructure. Absent regulatory relief, broadcast television licensees face the prospect of having to spend resources to restore television service on pre-auction channels in 2018 only to have to spend more resources to move to post-auction channels in 2019.

Rigid adherence to the current broadcast television relocation plan in Puerto Rico and other areas affected by Hurricane Maria will waste time and money. Most of the broadcast television stations in Puerto Rico and the U.S. Virgin Islands have already asked the FCC to accelerate the transition so that stations may use relocation funds to restore broadcast television service to Puerto Rico and the Virgin Islands.<sup>5</sup>

I support these common-sense requests for relief and urge you to permit these stations to relocate to their final post-auction channels as soon as possible. The last thing we in Puerto Rico need is duplicative, government-mandated spending on a two-step move when only one step is required. Accelerating the post-auction relocation of broadcast television licensees avoids squandering taxpayer resources and will help restore a critical piece of Puerto Rico's communications infrastructure.

Puerto Rico is home to 3.4 million Americans, who need your help. Acting now to accelerate the post-auction transition in storm-ravaged areas promises to save money and lives.

Sincerely,



Jenniffer González-Colón  
Member of Congress

<sup>5</sup> See Letter from Davina Sashkin et al., Counsel for Eastern Television Corporation R & F Broadcasting, Inc., to Marlene H. Dortch, FCC, GN Docket No. 12-268, MB Docket No. 16-306 (Nov. 14, 2017); *see also* Letter from Melodie A. Virtue, CMCG Puerto Rico, LLC, to Marlene H. Dortch, FCC, GN Docket No. 12-268, MB Docket No. 16-306 (Dec. 18, 2017); Letter from Todd D. Gray, Counsel for SUAGM, to Marlene H. Dortch, FCC, GN Docket No. 12-268, MB Docket No. 16-306 (Dec. 1, 2017); Letter from Steve B. Sharkey, T-Mobile USA, Inc., to Marlene H. Dortch, FCC, GN Docket No. 12-268, MB Docket No. 16-306 (Nov. 21, 2017).





FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

January 19, 2018

The Honorable Jennifer González-Colón  
U.S. House of Representatives  
2435 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congresswoman González-Colón:

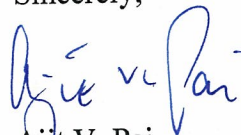
Thank you for your letter urging the Commission to permit television stations in Puerto Rico that have been reassigned to new channels in the post-incentive auction transition to move to their new channels as quickly as possible. I appreciate your interest in restoring broadcast television service to Puerto Rico residents in an efficient manner.

FCC staff has worked closely with the affected TV stations to enable them to move to their new post-incentive auction channels as part of their near-term hurricane recovery efforts. I am pleased to report that on January 11, 2018, the Commission's Incentive Auction Task Force and Media Bureau issued a Public Notice granting the requests of 20 stations in Puerto Rico and the U.S. Virgin Islands to advance the schedule for their construction of new broadcast facilities on their post-auction channels. Specifically, the stations may begin testing on their new channels as of July 1, 2018, and will discontinue use of their pre-auction channels no later than August 1, 2018.

As you note, granting these waivers prevents wasteful duplicative construction and equipment costs for stations whose towers and equipment were devastated by the storms. Doing so also enables access by the stations to funding from the TV Broadcaster Reimbursement Fund for the portions of the recovery costs attributable to their post-incentive auction relocation. Additionally, the waiver grant will mean that over-the-air TV viewers in Puerto Rico will only need to rescan their tuners once to ensure uninterrupted viewing.

We are pleased that the Commission has been able to assist the 20 stations in their effort to restore a vital source of information and means of communication to the millions of affected viewers in Puerto Rico. Please let me know if I can be of any further assistance.

Sincerely,

  
Ajit V. Pai

Enclosure

*P.S. Congresswoman, thanks for your leadership on hurricane-recovery issues! I hope to have a chance to catch up with you sometime, either here or in the Commonwealth.*